



04-10-03

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1634

EV 292283076US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:
BELOTSEKOVSKII et al.

Group Art Unit: 1634

Application Number: 09/919,345

Examiner: LU, Frank Wei Min

Filed: July 30, 2001

For: Enhanced Targeting of DNA
Sequences by Recombinase Protein
and Single-Stranded Homologous
DNA Probes Using DNA Analog
Activation

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT TRANSMITTAL

Commissioner of Patents and Trademarks
Washington, DC 20231

Sir:

Transmitted herewith is:

- ☒ [X] a Supplemental Information Disclosure Statement
- ☒ [X] Form PTO-08A
- ☒ [X] Copies of each cited references listed on form PTO-08A
- ☐ [] English translation of foreign language reference(s)
- ☒ [X] Copy of foreign examination report
- ☐ [] English translation of foreign examination report.
- ☐ [] Also transmitted is _____.

1. ☐ [] This Information Disclosure Statement is filed before the later of:
- A. three months from the filing date of this national application;
 - B. three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
 - C. the mailing date of a first Official Action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

2. ☒ This Information Disclosure Statement is filed after the events noted in paragraph 1, but before either:

- A. a final action under 37 CFR 1.113, or
B. a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c) also submitted is:

- ☐ A fee under 37 CFR 1.17(p) in the amount of \$180.00; or
☒ A certification as stated below.

3. ☐ This Supplemental Information Disclosure Statement is filed before the payment of the issue fee, but after either:

- A. a Final Action under 37 CFR 1.113, or
B. a Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(d) also submitted is:

- (1) A certification, as stated below; and
(2) A fee under 37 CFR 1.17 (p) in the amount of \$180.00.

Certification

The undersigned also states:

- ☒ Each item of information contained in the Supplemental Information Disclosure Statement cited herein was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

The fees indicated above are:

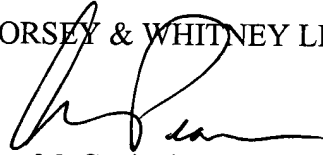
TOTAL FEES: \$0.00

- ☐ A check for the amount of TOTAL FEES indicated above is attached.

- [] The Commissioner is hereby authorized to charge \$_____ to cover the payment of the fee(s) indicated below to Deposit Account No. 50-2319.
- [] A check in the amount of \$_____ is attached.
- [X] No fee is required.
- [X] The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319. (Order No. A-69625-/RFT/DLR)

Respectfully submitted,

DORSEY & WHITNEY LLP



Ann M. Caviani Pease
Reg. No. 42,067

Date: April 8, 2003

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DNA Probes Using DNA Analog
Activation

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Supplemental Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention.

Applicant makes no representation that a complete search has been conducted by the Applicant, or that there is not possibly more relevant art. Applicant also makes no representation that the information submitted herewith is in fact material.

- ☒ [X] The enclosed publications were cited in a foreign examination report in a related case. A copy of the search report and the cited references are attached hereto.
- ☐ [] The search report is not in the English language and a translation of the search report is enclosed.
- ☐ [] At least one of the enclosed publications is not in the English language.
- ☐ [] English translation(s) are enclosed.

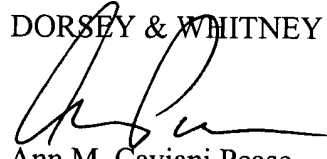
☐ Enclosed is an explanation of the relevance of non-English publications for which an English translation is not available.

☐ The explanation is in the form of an English language search report.

The subject application is believed patentable over any of the references listed on the attached PTO Form 08A.

Respectfully submitted,

DORSEY & WHITNEY LLP



Ann M. Caviani Pease

Reg. No. 42,067

Date April 8, 2003

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Substitute for form 1449A/PTO
U.S. DEPARTMENT OF COMMERCE
(Modified) PATENT AND TRADEMARK OFFICE

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Use as many sheets as necessary)

Sheet 1 of 1

ATTY. DOCKET NO.: A-69625-1/RFT/

FIRST NAMED INVENTOR:
BELOTSERKOVSKII et al.

FILING DATE:
July 30, 2001

APPLICATION NO.: 09/919,345

ART UNIT:
1634

EXAMINER NAME:
LU, Frank Wei Min

U.S. PATENT OR PUBLISHED PATENT APPLICATION DOCUMENTS

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER	PUBLICATION DATE	Name of PATENTEE or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)	MM-DD-YYYY		
		5,948,653	09-07-1999	PATi et al.	
		5,929,043	07-27-1999	DAYN	

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIALS*	Cite No. ¹	DOCUMENT NUMBER	PUBLICATION DATE	Name of PATENTEE or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	MM-DD-YYYY			
		WO 00/63365	10-26-2000	PANGENE CORP.		
EXAMINER SIGNATURE		DATE CONSIDERED				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

EXAMINER INITIALS*	Cite No. ²	(Include name of Author) in CAPITAL LETTERS), Title of article (when appropriate, title of the item (book, magazine, journal, serial symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published)	T ³
		SENA, E. et al., <i>Targeting in Linear DNA duplexes With Two Complementary Probe Strands For Hybrid Stability</i> , Nature Genetics, Vol. 3, No. 4, April 1993, pp. 365-372, New York, US	
		GUPTA, Ravindra C. et al., <i>Activities of Human Recombination Protein Rad51</i> , Proc. Natl. Acad. Sci USA, Vol. 94, No. 2, 1997, pp. 463-468, Washington, US	
		BELOTSERKOVSKII, B. et al., <i>DNA Hybrids Stabilized by Heterologies</i> , Biochemistry, Vol. 38, No. 33, 17 August 1999, pp. 10785-10792, Easton, PA, US	
EXAMINER SIGNATURE		DATE CONSIDERED	

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3) ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

² Applicant's unique citation number (optional).

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